

## *Joint Standing Committee on State and Local Government*

**LD 631**

**An Act To Establish a Maine Law Sunset Review Committee**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROSTHWAITE	ONTP MAJ	
DAVIS P	OTP-AM MIN	

LD 631 proposed to create a process for a review of the Maine Revised Statutes to eliminate obsolete and outdated statutes. Each Legislature would establish a joint standing or joint select committee with the duty to review the Maine Revised Statutes and report at the beginning of the second regular session a summary of the committee's work and any recommended legislation. The committee would meet during legislative sessions and in the interim as authorized by the presiding officers. The Legislative Council would provide staffing assistance.

**Committee Amendment "A" (H-738)** proposed to incorporate a fiscal note.

**LD 798**

**An Act To Establish a Sunset on New State Agencies and Programs**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	ONTP	
SIMPSON		

LD 798 proposed to establish an automatic sunset on all new agencies or programs established or funded beginning January 1, 2006 unless the agency or program is extended through legislative action prior to the date of sunset.

**LD 889**

**Resolve, Directing the Intergovernmental Advisory Commission To Establish a Working Group To Develop a County Government Capital Improvements Revolving Loan Fund**

**RESOLVE 133**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	OTP-AM	S-449

LD 889 proposed to establish the County Government Capital Improvements Revolving Loan Fund.

**Committee Amendment "A" (S-449)** proposed to direct the Intergovernmental Advisory Commission to establish a working group to examine the feasibility of, and develop an appropriate design for, a county government capital improvements revolving loan fund that would make available financial assistance to counties for construction and repair projects. The working group must include representatives from associations of county commissioners, registers of deeds, sheriffs, jail administrators and municipal officers as well as the Maine Governmental Facilities Authority. The working group would report its findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

## *Joint Standing Committee on State and Local Government*

### ***Enacted law summary***

Resolve 2005, chapter 133 directs the Intergovernmental Advisory Commission to establish a working group to examine the feasibility of, and develop an appropriate design for, a county government capital improvements revolving loan fund that would make available financial assistance to counties for construction and repair projects. The working group must include representatives from associations of county commissioners, registers of deeds, sheriffs, jail administrators and municipal officers as well as the Maine Governmental Facilities Authority. The working group shall report its findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

**LD 925                      An Act To Fairly Apportion the Cost of Sheriff Patrol Services                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	ONTP	

LD 925 proposed to require county commissioners to calculate the budgeted cost of noncontracted sheriff patrol services in proportion to which those services are provided to municipalities and unorganized territories in the county. The bill also proposed to require that the routine provision of sheriff patrol services be subject to the terms of a contract with the municipality receiving these services.

**LD 1003                      An Act To Establish the Androscoggin County Budget Advisory Committee and the Somerset County Budget Advisory Committee                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 1003 proposed to repeal the existing process of adoption of a budget in Androscoggin County and in Somerset County and proposed to establish the Androscoggin County Budget Advisory Committee and the Somerset County Budget Advisory Committee.

**Committee Amendment "A" (S-295)** proposed to amend the dates to reflect the fiscal year beginning on January 1st. It proposed to reconvene the apportionment commission that conducted the apportionment in 2003 to reapportion Androscoggin County Commissioner Districts from 3 districts to 5 districts. The first election held in the new districts would be the statewide election on November 2006. The current Androscoggin County budget committee would be repealed September 15, 2007 and the Androscoggin County Budget Advisory Committee would take effect on the same day. The amendment also proposed to remove Somerset County from the bill so that the bill only affects Androscoggin County.

This bill was initially reported out with a majority OTP-A committee report. It was then recommitted to committee and subsequently reported out with a unanimous ONTP report.

## *Joint Standing Committee on State and Local Government*

**LD 1127**

**Resolve, Directing State Agencies To Assist and Facilitate any  
Governmental Units Wishing To Work Cooperatively**

**RESOLVE 130**

Sponsor(s)  
ANDREWS  
BARSTOW

Committee Report  
OTP-AM

Amendments Adopted  
S-434

LD 1127 proposed to require the Executive Department, State Planning Office, working with state and local government and education officials, to develop a municipal service district pilot project. Following a competitive process to determine the participating municipalities, the State Planning Office would continue to provide technical assistance, as well as grants, incentives and direct financial assistance to the municipalities participating in the pilot project. The bill proposed a timeline for the development and submission of projects and for the design and implementation of the municipal service districts. Funding would be provided through the Fund for the Efficient Delivery of Local and Regional Services and a separate appropriation.

**Committee Amendment "A" (S-434)** proposed to direct each state agency to establish a process by which municipalities that are involved in the joint provision of services with other units of government may fulfill statutory filing requirements by filing jointly with those units. The amendment proposed to require state agencies to report on the progress and the status of changes to the Executive Department, State Planning Office by November 30, 2006. The State Planning Office would report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

### *Enacted law summary*

Resolve 2005, chapter 130 directs each state agency to establish a process by which municipalities that are involved in the joint provision of services with other units of government may fulfill statutory filing requirements by filing jointly with those units. State agencies must report on the progress and the status of changes to the Executive Department, State Planning Office by November 30, 2006. The State Planning Office shall report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

**LD 1230**

**An Act To Facilitate and Promote Regional Cooperation**

**ONTP**

Sponsor(s)  
SHIELDS  
CLUKEY

Committee Report  
ONTP

Amendments Adopted

LD 1230 proposed to address regional cooperation issues. The bill proposed to make real or personal property used for providing regional services to 2 or more municipalities exempt from property taxation. It proposed to allow municipalities to enter into cooperative arrangements for transit, solid waste, household hazardous waste, economic development, code enforcement and joint purchasing activities and would clarify that these endeavors are cooperative regional government activities. The bill also proposed to clarify that staff providing joint services are municipal officials. It proposed to grant to regional planning commissions the powers of a regional council. In addition, the minutes of commission meetings would be provided on request or posted on a website, rather than mailed to every member of the planning board and all municipal officials, in order to save on printing and mailing costs.

## *Joint Standing Committee on State and Local Government*

**LD 1414**                      **An Act To Authorize Municipalities To Create Municipal Fire Districts**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	ONTP      MAJ	
PERRY J	OTP-AM      MIN	

LD 1414 proposed to authorize municipalities to create municipal fire districts that may, by ordinance, charge service charges for fire protection. The bill proposed to amend a statute to authorize municipalities to collect regional fire district service charges in addition to taxes.

**Committee Amendment "A" (H-773)**, which was the minority report, proposed to replace the bill. The amendment proposed to direct Maine Revenue Services to establish a working group to examine options for reevaluating the distribution of property tax within municipalities and between service center and nonservice center municipalities. The working group would include members from the Maine Municipal Association, the Maine Service Centers Coalition, institutions of higher education in the State, the Maine Hospital Association, the YMCA, the Maine Council of Churches and other representatives of charitable or tax-exempt organizations.

**LD 1481**                      **An Act To Amend the Laws Governing the Enactment Procedures for Ordinances**                      **POCKET VETO**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM      MAJ	S-437
KOFFMAN	ONTP      MIN	S-554      SCHNEIDER

LD 1481 proposed to establish the procedures for ordinances enacted by citizen's initiative so that all ordinances apply prospectively and the procedure for people's veto of ordinances enacted by a municipality.

**Committee Amendment "A" (S-242)** proposed to establish procedures for the enactment of local ordinances and ordinance amendments by direct initiative and prohibits the application of a new local ordinance enacted by direct initiative to construction or projects for which permits or approvals have been granted. The bill and this amendment were recommitted to committee to be carried over into the second session.

**Committee Amendment "B" (S-243)**, which is the minority report, proposed to establish procedures for the enactment of local ordinances and ordinance amendments by direct initiative and prohibits the application of a new local ordinance to construction projects for which a permit or municipal approval has been granted and finally decided. The bill and this amendment were recommitted to committee to be carried over into the second session.

**Committee Amendment "C" (S-437)** proposed to prohibit a municipality from nullifying or amending a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance more than 30 days after approval of the permit.

**House Amendment "I" to Committee Amendment "C" (H-1051)** proposed to incorporate the provisions of Senate Amendment "C" to Committee Amendment "C", except this amendment also specifies the procedure for a

## *Joint Standing Committee on State and Local Government*

change by citizen-initiated petition to an ordinance that would nullify or amend a previously issued municipal land use permit. The ordinance must be filed with the municipality within 30 days of the final approval of the permit, any registered voter may circulate the petition, and following the certification of the question by the municipality, the petitioners have 75 days to gather the requisite number of signatures and submit the signed petition to the municipality for certification of the signatures. This amendment was not adopted.

**House Amendment "N" to Committee Amendment "C" (H-1098)** proposed to add a mandate preamble. This amendment was not adopted.

House Amendments "A" to "H" and "J" to "M" were not introduced.

**Senate Amendment "A" to Committee Amendment "C" (S-489)** proposed to extend the period within which a municipality may nullify or amend a land use permit to 45 days. This amendment also proposed to specify that the requirements of the bill do not affect any municipal ordinance that provide for a lapse of the permit or authority granted pursuant to the permit after a certain period of time. This amendment was not adopted.

**Senate Amendment "B" to Committee Amendment "C" (S-550)** proposed to prevent a municipality, either through traditional ordinance amendment procedures or as a result of citizen-initiated procedures, from nullifying or amending a municipal land use permit that has been issued for an affordable housing project after the permit has received lawful final approval, a period of 45 days has passed and if required a public hearing was held on the permit. This amendment was not adopted.

**Senate Amendment "C" to Committee Amendment "C" (S-554)** proposed to extend the period within which a municipality may nullify or amend a land use permit to 75 days. This amendment also proposed to specify that the requirements of the bill do not affect any municipal ordinance that provides for a lapse of the permit or authority granted pursuant to the permit after a certain period of time.

**Senate Amendment "D" to Committee Amendment "C" (S-555)** proposed to extend the period within which a municipality can nullify or amend a land use permit to 90 days after the permit received final approval and requires a public hearing to be held on the permit. This amendment was not adopted.

**Senate Amendment "E" to Committee Amendment "C" (S-558)** proposed to extend the period within which a municipality can nullify or amend a land use permit to 75 days after the permit received final approval and requires a public hearing to be held on the permit. This amendment was not adopted.

**Senate Amendment "F" to Committee Amendment "C" (S-599)** proposed to incorporate the provisions of Senate Amendment "C" to Committee Amendment "C" but changes the period within which a municipality may nullify or amend a land use permit from 75 days to 100 days. This amendment was not adopted.

**Senate Amendment "G" to Committee Amendment "C" (S-631)** proposed to extend the period within which a municipality may propose to nullify or amend a land use permit to 75 days. This amendment would also specify that if the proposed change to the ordinance that would nullify or amend a previously issued land use permit is the result of a citizen-initiated petition, the petition for an article in the warrant must be submitted within 75 days or a time period specified in municipal charter following approval of the permit in order to allow the nullification or amendment of the permit. The time that the petition is held by the municipality for certification of the question is not counted in determining the 75-day or other limitation period. This amendment would require the change in ordinance, whether proposed by the municipality or by citizen initiative, to be submitted for consideration at the next regularly scheduled town meeting, meeting of the town or city council or election. This amendment also

## *Joint Standing Committee on State and Local Government*

proposed to specify that, in the event of a conflict between a municipal charter and the provisions of this amendment, the provisions of the municipal charter prevail. This amendment was not adopted.

<b>LD 1694</b>	<b>An Act To Allow the Towns of Mapleton, Castle Hill and Chapman To Deposit All Tax Revenues, Grant Revenues and Other Income and Revenues into One Depository Account</b>	<b>P &amp; S 31 EMERGENCY</b>
----------------	---	-----------------------------------

<u>Sponsor(s)</u> MARTIN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u> S-445 MARTIN
-----------------------------	--------------------------------	---

LD 1694 proposed to authorize the towns of Mapleton, Castle Hill and Chapman to create and maintain a common ownership depository account in the name of the 3 towns for the deposit of all tax revenues, grant revenues and other income and revenues received by the individual towns.

**Senate Amendment "A" (S-445)** proposed to add an emergency preamble and clause to the bill.

### *Enacted law summary*

Private and Special Law 2005, chapter 31 authorizes the towns of Mapleton, Castle Hill and Chapman to create and maintain a common ownership depository account in the name of the 3 towns for the deposit of all tax revenues, grant revenues and other income and revenues received by the individual towns.

Private and Special Law 2005, chapter 31 was enacted as an emergency measure effective March 2, 2006.

<b>LD 1712</b>	<b>An Act To Restore the Funding to the Fund for the Efficient Delivery of Local and Regional Services</b>	<b>INDEF PP</b>
----------------	--	-----------------

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-741
-------------------	-----------------------------------	------------------------------------

LD 1712 proposed to restore the funding for the Fund for the Efficient Delivery of Local and Regional Services by repealing the section of Public Law 2005, chapter 457 that would have transferred the money to the General Fund by June 30, 2006 and by June 30, 2007.

**Committee Amendment "A" (H-741)** proposed to restore the funding for the Fund for the Efficient Delivery of Local and Regional Services for the second year only.

(Public Law 2005, chapter 519, Part HH, section 1, restored \$1 million to the Fund for the Efficient Delivery of Local and Regional Services.)

## *Joint Standing Committee on State and Local Government*

**LD 1713**

**Resolve, To Direct the Department of Audit To Establish a Working Group To Develop a Model Chart of Accounts for All Levels of Government**

**RESOLVE 136**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-752

LD 1713 proposed to direct the Executive Department, State Planning Office to establish a working group to develop a standard accounting format for municipalities and counties. The State Planning Office would consult with state agencies and advocacy groups and report its findings and suggested legislation to the Intergovernmental Advisory Commission. The commission may report out legislation to the First Regular Session of the 123rd Legislature.

**Committee Amendment "A" (H-752)** proposed to direct the Department of Audit to create a working group to develop a model chart of accounts that may be voluntarily adopted by municipalities, counties and the State, as applicable. The standard format is intended to allow towns to enter into cooperative agreements for cost-saving purposes. The Department of Audit would report its findings to the Intergovernmental Advisory Commission by November 1, 2006.

### *Enacted law summary*

Resolve 2005, chapter 136 directs the Department of Audit to create a working group to develop a model chart of accounts. The model chart of accounts may be voluntarily adopted by municipalities, counties and the State, as applicable. The standard format is intended to allow towns to enter into cooperative agreements for cost-savings purposes. The Department of Audit shall report its findings to the Intergovernmental Advisory Commission by November 1, 2006.

**LD 1714**

**An Act To Increase Funding for the Intergovernmental Advisory Commission**

**P & S 62**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-769

LD 1714 proposed to increase staffing for the Intergovernmental Advisory Commission. An appropriation of \$4,000 would be used for administrative and research services. The Executive Department, State Planning Office would arrange the staffing that is supported by this appropriation.

**Committee Amendment "A" (H-769)** proposed to appropriate \$10,000 for the Intergovernmental Advisory Commission for planning and holding a conference.

### *Enacted law summary*

Private and Special Law 2005, chapter 62 appropriates \$10,000 for the Intergovernmental Advisory Commission to be used for planning and holding a conference.

## *Joint Standing Committee on State and Local Government*

LD 1728

**Resolve, Establishing an Apportionment Commission To Develop  
New Cumberland County Commissioner Districts**

**RESOLVE 212**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM	H-840 H-1107 BARSTOW

LD 1728 proposed to direct the Cumberland County Commissioners to put together a task force to establish 7 county commissioner districts and to submit its report no later than December 1, 2007 to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

**Committee Amendment "A" (H-840)** proposed to establish an apportionment commission under the constitutional procedure for establishing an apportionment commission to apportion the districts of the Legislature. The commission would be required to develop 2 plans to increase the number of Cumberland County commissioners from 3 districts to 5 or 7 districts. The voters of Cumberland County would choose between the 2 plans at a referendum held at the June 2007 election. The reapportionment plan chosen by the voters must be submitted to the Legislature for its approval. Election of Cumberland County commissioners in the reapportioned districts would take place at the November 2008 election.

**House Amendment "A" to Committee Amendment "A" (H-926)** proposed to change the date that the Cumberland County commissioners would submit the 2 plans to the voters of Cumberland County from June 2007 to November 2008. Election of Cumberland County commissioners in the reapportioned districts would take place at the November 2010 election. This amendment was not adopted.

**House Amendment "B" to Committee Amendment "A" (H-1107)** proposed to incorporate the substance of Senate Amendment "A" to Committee Amendment "A", filing number S-639. In addition, the amendment also proposed to remove the requirement for the apportionment plan to be submitted to the Cumberland County voters and instead allow the plan to be submitted to voters.

**Senate Amendment "A" to Committee Amendment "A" (S-639)** proposed to require that the Cumberland County commissioners vote on which of the two plans may be sent to the voters in Cumberland County.

### ***Enacted law summary***

Resolve 2005, chapter 212 establishes an apportionment commission under the constitutional procedure for establishing an apportionment commission to apportion the districts of the Legislature. The commission is required to develop 2 plans to increase the number of Cumberland County commissioners from 3 districts to 5 or 7 districts. The Cumberland County commissioners vote to decide which plan may be submitted to the voters in Cumberland County. The commissioners are not required to submit the plan to the voters but may choose to do so at the June 2007 election. The plan must be submitted to the Legislature for enactment. Election of commissioners in the reapportioned districts would take place at the November 2008 election.



## *Joint Standing Committee on State and Local Government*

**LD 1733**

**Resolve, Directing the Commissioner of Administrative and Financial Services To Establish a Working Group To Develop Options for the Long-term Renovation and Use of the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute**

**RESOLVE 201**

Sponsor(s)  
BARSTOW

Committee Report  
OTP-AM

Amendments Adopted  
H-973

LD 1733 proposed to authorize the Commissioner of Administrative and Financial Services to enter into long-term ground leases of the following sites and to convey the following buildings, subject to surrender to the State upon termination of the ground lease: the Stone Buildings, the Administration Building and the Center Building formerly occupied by the Augusta Mental Health Institute in Augusta.

**Committee Amendment "A" (H-973)** proposed to direct the Commissioner of Administrative and Financial Services to establish a working group to explore options for the renovation and occupancy of the Stone Buildings, the Administrative Building and the Center Building. The working group would explore the possibilities of using bonds and public-private partnerships for renovation and options for occupancy including a combination of state agencies and private leases. The working group would report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

### ***Enacted law summary***

Resolve 2005, chapter 201 directs the Commissioner of Administrative and Financial Services to establish a working group to explore options for the renovation and occupancy of the Stone Buildings, the Administrative Building and the Center Building formerly occupied by the Augusta Mental Health Institute. The working group shall explore the possibilities of using bonds and public-private partnerships for renovation and options for occupancy including a combination of state agencies and private leases. The working group shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

**LD 1735**

**An Act To Authorize Chebeague Island To Secede from the Town of Cumberland**

**P & S 47**

Sponsor(s)  
MCKENNEY  
DAMON

Committee Report  
OTP-AM

Amendments Adopted  
H-915

LD 1735 proposed to authorize the separation of Chebeague Island and certain surrounding islands from the Town of Cumberland and their incorporation into the Town of Chebeague Island.

**Committee Amendment "A" (H-915)** proposed to change the boundary lines so that Sturdivant Island and Basket Island remain part of the Town of Cumberland. It would detail the agreements between the secession territory and the Town of Cumberland and the secession territory and School Administrative District 51. The amendment proposed to require the secession territory to select 9 transition representatives to act for the territory from within 60 days of the effective date of the bill to the date of separation. It would authorize the Town of

## *Joint Standing Committee on State and Local Government*

Chebeague Island, the Town of Cumberland and School Administrative District 51 to enforce the provisions of the bill by civil action in Superior Court.

### ***Enacted law summary***

Private and Special Law 2005, chapter 47 authorizes the separation of Chebeague Island and certain surrounding islands from the Town of Cumberland and their incorporation into the Town of Chebeague Island. It details the agreements between the secession territory and the Town of Cumberland and the secession territory and School Administrative District 51.

**LD 1762**

**An Act Authorizing the Deorganization of Drew Plantation**

**P & S 60**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM    MAJ ONTP      MIN	

LD 1762 proposed to allow for the deorganization of Drew Plantation in Penobscot County, subject to approval at local referendum.

**Committee Amendment "A" (S-511)** proposed to require the deorganization of Drew Plantation to be in accordance with the deorganization plan as amended February 1, 2006.

### ***Enacted law summary***

Private and Special Law 2005, chapter 60 provides for the deorganization of Drew Plantation in Penobscot County, subject to approval at local referendum. Deorganization is to be in accordance with the deorganization plan as amended February 1, 2006.

**LD 1769**

**An Act To Strengthen the State Purchasing Code of Conduct Laws**

**PUBLIC 554**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	ONTP      MAJ OTP-AM    MIN	S-499

LD 1769 proposed to make several changes to the law regarding the state purchasing code of conduct. Specifically, the bill:

1. Details the process that bidders must follow in filing an affidavit under the law;
2. Describes when investigations by the State Purchasing Agent will be initiated;
3. Sets out the factors that may be taken into account by the State Purchasing Agent in making a determination of whether the code of conduct has been violated;

## *Joint Standing Committee on State and Local Government*

4. Permits the State Purchasing Agent to take remedial action, including, but not limited to, terminating contracts against contractors that do not make good faith efforts to comply with the code of conduct;
5. Eliminates the State's prerogative to contract with noncompliant contractors when no other procurement source option exists; and
6. Establishes a working group whose task is to report on whether the State should form an independent consortium to monitor and investigate complaints of violations of the code of conduct and, if so, the manner in which such a consortium would be created and function.

**Committee Amendment "A" (S-499)**, which is the minority report, proposed to reinstate the ability of the State Purchasing Agent to accept and award a bid from a noncompliant contractor when no other procurement option exists. The amendment also proposed to require the working group to provide an interim progress report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by September 1, 2006 instead of bimonthly progress reports.

### ***Enacted law summary***

Public Law 2005, chapter 554 makes several changes to the law regarding the state purchasing code of conduct. Specifically, the law:

1. Details the process that bidders must follow in filing an affidavit under the law;
2. Describes when investigations by the State Purchasing Agent will be initiated;
3. Sets out the factors that may be taken into account by the State Purchasing Agent in making a determination of whether the code of conduct has been violated;
4. Permits the State Purchasing Agent to take remedial action, including, but not limited to, terminating contracts against contractors that do not make good faith efforts to comply with the code of conduct; and
5. Establishes a working group whose task is to report on whether the State should form an independent consortium to monitor and investigate complaints of violations of the code of conduct and, if so, the manner in which such a consortium would be created and function. The working group must provide an interim progress report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by September 1, 2006.

**LD 1779**

**An Act To Increase Certain Fees Paid for Service of Writs and Complaints**

**DIED ON  
ADJOURNMENT**

Sponsor(s)  
DAVIS P

Committee Report  
OTP-AM

Amendments Adopted  
S-461

LD 1779 proposed to double the fees paid to sheriffs, deputies and authorized persons for service of writs and complaints on behalf of the State.

**Committee Amendment "A" (S-461)** proposed to add an appropriations and allocations section to the bill.

## *Joint Standing Committee on State and Local Government*

**LD 1788**                      **An Act To Confirm the Authority of the City of Saco To Acquire Extraterritorial Facilities**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	ONTP	

LD 1788 proposed to confirm the authority of the city of Saco, as provided in its charter, to issue bonds, notes and other evidences of indebtedness to acquire interests in real estate located outside the political boundaries of the city in order to improve environmental or economic conditions within the city. This confirmation of the city's extraterritorial authority would be required in connection with the city's plan to issue bonds to acquire and ultimately close the Maine Energy Recovery Company facility in Biddeford.

**LD 1846**                      **Resolve, Directing the Department of Health and Human Services To Establish a Working Group To Examine Ways for Municipalities To Distribute More Heating Assistance**                      **RESOLVE 146**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHATZ	OTP-AM      MAJ	H-790
DAMON	ONTP        MIN	

LD 1846 proposed to streamline criteria for municipal general assistance for heating and utility assistance.

**Committee Amendment "A" (H-790)** proposed to direct the Department of Health and Human Services to establish a working group to examine ways for municipalities to distribute more heating assistance to residents who are eligible for the federal Low Income Home Energy Assistance Program. The department would submit its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 15, 2006.

### ***Enacted law summary***

Resolve 2005, Chapter 146 directs the Department of Health and Human Services to establish a working group to examine ways for municipalities to distribute more heating assistance to residents who are eligible for the federal Low Income Home Energy Assistance Program. The department shall submit its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 15, 2006.

## *Joint Standing Committee on State and Local Government*

**LD 1862**

**An Act To Expand Notification Requirements for Internal Control  
Inquiries Made by Nonstate Organizations**

**PUBLIC 490**

Sponsor(s)  
BARSTOW

Committee Report  
OTP-AM

Amendments Adopted  
H-760

LD 1862 proposed to require that the State Auditor be notified when a nonstate organization requests access to state agency resources and records related to internal controls.

**Committee Amendment "A" (H-760)** proposed to require the State Controller to notify the State Auditor, the Office of Program Evaluation and Government Accountability and other interested parties when a nonstate organization requests access to state agency resources and records related to internal controls.

### *Enacted law summary*

Public Law 2005, chapter 490 requires the State Controller to notify the State Auditor, the Office of Program Evaluation and Government Accountability and other interested parties when a nonstate organization requests access to state agency resources and records related to internal controls.

**LD 1864**

**Resolve, Authorizing the Commissioner of Administrative and  
Financial Services To Sell or Lease the Interests of the State in  
Certain Real Property Located on State Highway 191 in East  
Machias; U.S. Route 1 in Thomaston; U.S. Route 2 in Skowhegan;  
and Hospital Street in Augusta**

**RESOLVE 177**

Sponsor(s)  
RECTOR  
SAVAGE

Committee Report  
OTP-AM

Amendments Adopted  
H-927

LD 1864 proposed to authorize the Commissioner of Administrative and Financial Services to sell or lease the State's interests in properties in East Machias, Thomaston, Skowhegan, Augusta and Falmouth, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements and the lease proceeds to be deposited in the General Fund.

**Committee Amendment "A" (H-772)** proposed to give the right of first refusal to purchase the parcel of land in Falmouth along the Presumpscot River to the 3 abutting lot owners. The Commissioner of Administrative and Financial Services would have the authority to work with the abutting lot owners to develop an equitable division of property. The bill and this amendment were recommitted to committee for reconsideration.

**Committee Amendment "B" (H-927)** proposed to remove from the list of state properties authorized to be sold or leased the parcel of land located in Falmouth along the Presumpscot River.

## *Joint Standing Committee on State and Local Government*

### ***Enacted law summary***

Resolve 2005, chapter 177 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in properties in East Machias, Thomaston, Skowhegan and Augusta, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements and the lease proceeds to be deposited in the General Fund.

<b>LD 1865</b>	<b>An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits</b>	<b>PUBLIC 489</b>
----------------	--	-------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM	H-767

LD 1865 proposed to clarify that a municipality must be informed early in the design process of plans for a state construction project or public improvement within that municipality's boundaries. The bill proposed to require a municipality that intends to review or issue permits for that project or improvement to file notice of intent within 30 days of notification of the project or improvement.

**Committee Amendment "A" (H-767)** proposed to specify that the Department of Administrative and Financial Services, Bureau of General Services notify the municipal manager or, in the absence of a manager, the first selectman, of a proposed project within the municipality's boundaries. It would also give the municipality 45 days to respond after notification.

### ***Enacted law summary***

Public Law 2005, chapter 489 specifies that the Department of Administrative and Financial Services, Bureau of General Services must notify the municipal manager or, in the absence of a manager, the first selectman, early in the design process of a proposed state construction project or public improvement within that municipality's boundaries. The municipality has 45 days to file notice of intent to review or issue permits for the project.

## *Joint Standing Committee on State and Local Government*

LD 1871

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Purchase the Department of Labor Building at 19 Union Street in Augusta and To Determine the Feasibility of Acquiring a Parcel of Land for Use as a Parking Lot by the Maine Criminal Justice Academy**

RESOLVE 214

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM MAJ ONTP MIN	S-576 SCHNEIDER S-686 ROTUNDO

LD 1871 proposed to authorize the Commissioner of Administrative and Financial Services to enter into long-term ground leases and to convey the Department of Labor building at 19 Union Street in Augusta, subject to surrender to the State upon termination of the ground lease.

**Committee Amendment "A" (H-744)** proposed to require that the building be leased to the State for agency offices and that the rents be no higher than market rent for comparable office space in the Augusta area.

**Senate Amendment "A" (S-576)** proposed to authorize the Commissioner of Administrative and Financial Services to negotiate the purchase of the Department of Labor building, remove hazardous materials and begin the initial renovation design process using no more than \$1,800,000 from the Capital Construction and Improvements Reserve Fund.

**Senate Amendment "A" to Senate Amendment "A" (S-686)** proposed to authorize the Commissioner of Administrative and Financial Services, upon consultation with the Commissioner of Public Safety and the Department of Environmental Protection, to determine the feasibility of acquiring a parcel of land across from the Maine Criminal Justice Academy for use as a parking lot by the academy. The State currently holds a well and water line easement on the parcel that benefits the former Oak Grove School, currently known as the Maine Criminal Justice Academy.

### ***Enacted law summary***

Resolve 2005, chapter 214 authorizes the Commissioner of Administrative and Financial Services to negotiate the purchase of the Department of Labor building at 19 Union Street in Augusta, remove hazardous materials and begin the initial renovation design process using no more than \$1,800,000 from the Capital Construction and Improvements Reserve Fund. It also authorizes the Commissioner of Administrative and Financial Services, upon consultation with the Commissioner of Public Safety and the Department of Environmental Protection, to determine the feasibility of acquiring a parcel of land across from the Maine Criminal Justice Academy for use as a parking lot by the academy. The State currently holds a well and water line easement on the parcel that benefits the former Oak Grove School, currently known as the Maine Criminal Justice Academy.

## *Joint Standing Committee on State and Local Government*

**LD 1880**

**An Act To Promote Youth Involvement in County and Local Government**

**PUBLIC 656**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN	OTP-AM	H-768 S-671 ROTUNDO

LD 1880 proposed to create the County and Local Government Internship Program, administered by the Margaret Chase Smith Center for Public Policy at the University of Maine, which would pair college-age students with county and local governments. Students must have completed at least 2 years of college or have just graduated from college and be Maine residents or out-of-state students attending college in the State.

**Committee Amendment "A" (H-768)** proposed to incorporate a fiscal note.

**Senate Amendment "A" (S-671)** proposed to remove the appropriations and allocations section.

### *Enacted law summary*

Public Law 2005, chapter 656 creates the County and Local Government Internship Program, administered by the Margaret Chase Smith Center for Public Policy at the University of Maine, which pairs college-age students with county and local governments. Students must have completed at least 2 years of college or have just graduated from college and must be Maine residents or out-of-state students attending college in the State.

**LD 1882**

**An Act To Expand the Auditing Powers of the Department of Audit and To Clarify the Confidentiality of Audit Working Papers and Information**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	ONTP	

LD 1882 proposed to clarify the authority of the State Auditor to conduct information system audits and ensure the confidential status of information system audit findings and workpapers. The bill proposed to clarify that the State Auditor has the discretion to release nonconfidential audit working papers to the public before any final audit report. It also proposed to allow the State Auditor to disclose confidential audit working papers to the Office of the State Controller, the Office of the Treasurer of State, affected state entities and other state entities if the audited department, commission or agency agrees to the disclosure. The bill proposed to ensure that tips and complaints and information provided by any individual are confidential. In addition, the bill proposed to make classified any information resulting from a review by the State Auditor that indicates a computer system is vulnerable. Finally, the bill proposed to give the State Auditor the power to compel the production of evidence.



## *Joint Standing Committee on State and Local Government*

**LD 1908**

**An Act To Increase the Salary of the Governor**

**DIED BETWEEN  
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE G	OTP-AM MAJ OTP-AM MIN ONTP MIN	

LD 1908 proposed to provide the Governor with an annual salary 10% greater than the annual salary of any other official of State Government. In accordance with the Constitution of Maine, Article V, Part First, Section 6, the increased salary would not apply to the Governor who is serving on the effective date of the legislation during that Governor's continuance in office.

**Committee Amendment "A" (H-896)** proposed to set the Governor's salary at 2 times the median family income in the State, starting in January 2007, as determined by the most recent American Community Survey conducted by the United States Census Bureau. Every 4 years, the Governor's salary would be recalculated according to the most recent median family income. The amendment also proposed to add an appropriations and allocations section to the bill.

**Committee Amendment "B" (H-897)**, which is the minority report, proposed that the State Compensation Commission considers the compensation of the Governor in its biennial report.

**LD 1912**

**RESOLUTION, Amending the Constitution of Maine To Lower  
the Age of Eligibility for Election to the House of Representatives**

**FINAL PASSAGE  
FAILED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN	OTP-AM MAJ ONTP MIN	H-809

LD 1912 proposed to amend the Constitution of Maine to decrease the minimum age for election to the Maine House of Representatives from 21 years of age to 18 years of age.

**Committee Amendment "A" (H-809)** proposed to incorporate a fiscal note.

**LD 1918**

**An Act To Create a Self-insurance Pool for Land Crossing State-  
owned Railroad Tracks**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	ONTP	

LD 1918 proposed to require that the Director of the Bureau of General Services within the Department of Administrative and Financial Services provide insurance services so that private landowners may purchase insurance for coverage of land crossing state-owned railroad tracks.

## *Joint Standing Committee on State and Local Government*

**LD 1942**

**An Act To Change the Name of Little Island to Chickering Island**

**P & S 35**

Sponsor(s)  
BROMLEY

Committee Report  
OTP

Amendments Adopted

LD 1942 proposed to change the name of Little Island in Damariscotta Lake to Chickering Island.

### ***Enacted law summary***

Private and Special Law 2005, chapter 35 changes the name of Little Island in Damariscotta Lake to Chickering Island.

**LD 1984**

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease for Veterans' Housing the Interests of the State in Hedin Hall at the Dorothea Dix Psychiatric Center**

**RESOLVE 209**

Sponsor(s)  
PERRY J  
DUNN

Committee Report  
OTP-AM

Amendments Adopted

LD 1984 proposed to authorize the Commissioner of Administrative and Financial Services to sell or lease the State's interests in Hedin Hall, located on the campus of the Dorothea Dix Psychiatric Center, formerly known as the Bangor Mental Health Institute, for veterans' housing, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner and the lease proceeds to be deposited in the General Fund.

**Committee Amendment "A" (S-480)** proposed to direct the Department of Administrative and Financial Services, Bureau of General Services to establish a task force to examine using excess state property at the Stevens School campus in Hallowell for veterans' housing. The task force would be required to report its findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 29, 2006. This amendment was not adopted.

### ***Enacted law summary***

Resolve 2005, chapter 209 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in Hedin Hall, located on the campus of the Dorothea Dix Psychiatric Center, formerly known as the Bangor Mental Health Institute, for veterans' housing, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner and the lease proceeds to be deposited in the General Fund.

## *Joint Standing Committee on State and Local Government*

**LD 1999**                      **Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementing the State Purchasing Code of Conduct, a Major Substantive Rule of the Department of Administrative and Financial Services**                      **RESOLVE 178**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP          MAJ	S-541   SCHNEIDER
	OTP-AM      MIN	

LD 1999 proposed to provide for legislative review of portions of Chapter 130: Implementing the State Purchasing Code of Conduct, a major substantive rule of the Department of Administrative and Financial Services.

**Committee Amendment "A" (H-841)** which is the minority report, proposed to amend the resolve to indicate the major substantive rule of the Department of Administrative and Financial Services is not authorized. This amendment was not adopted.

**Senate Amendment "A" (S-541)** proposed to remove the emergency preamble and the emergency clause from the resolve.

### *Enacted law summary*

Resolve 2005, chapter 178 provides for legislative review of portions of Chapter 130: Implementing the State Purchasing Code of Conduct, a major substantive rule of the Department of Administrative and Financial Services.

**LD 2024**                      **An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning the State Contracting Process**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

LD 2024 was a recommendation of the Study Commission Regarding Liveable Wages established in Resolve 2005, chapter 128. The bill proposed to require the State Purchasing Agent to adopt rules for awarding contracts to provide for adjustment of bid prices to take into account the level of wages paid by bidding employers.

## *Joint Standing Committee on State and Local Government*

**LD 2030**

**An Act To Authorize the Deorganization of the Town of Cooper**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	
	ONTP MIN	

LD 2030 proposed to provide for the deorganization of the Town of Cooper in Washington County, subject to approval at local referendum.

**Senate Amendment "A" (S-505)** proposed to require the deorganization of the Town of Cooper to be in accordance with the deorganization plan updated on February 1, 2006. It also proposed to clarify that pupils in Cooper attend schools in Alexander for kindergarten to grade 8 and Woodland High School in Baileyville for secondary school.

**LD 2063**

**An Act To Clarify the Use of Dedicated Funds for the Preservation of Deeds Records**

**PUBLIC 584**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-538

LD 2063 proposed to clarify that the records preservation surcharge may not be used for initial recording of documents recorded in the office of the register of deeds. The bill proposed to require any county that has used the dedicated surcharge for a purpose other than restoration, re-creation or preservation to return the revenue to its dedicated account. Any expenditure from the account would be authorized by the Register of Deeds to ensure the use for its intended purpose.

**Committee Amendment "A" (S-538)** proposed to remove the requirement that the Register of Deeds authorize expenditures from the preservation surcharge account. It also proposed that any county that uses the dedicated surcharge for a purpose other than restoration, re-creation or preservation of deeds has committed a civil violation that results in a fine of \$100 a day from the date the money was withdrawn to the date it is restored. Fines would be paid out of the county budget and placed in the records preservation surcharge account.

### ***Enacted law summary***

Public Law 2005, chapter 584 clarifies that the records preservation surcharge may not be used for initial recording of documents. It provides that any county that uses the dedicated surcharge for a purpose other than restoration, re-creation or preservation of deeds in the office of the register of deeds has committed a civil violation that results in a fine of \$100 a day from the date the money was withdrawn to the date it is restored. Fines must be paid out of the county budget and placed in the records preservation charge account.

## *Joint Standing Committee on State and Local Government*

**LD 2072**

**An Act To Amend the Definition of "Municipality" as It Relates to the Maine Municipal Bond Bank Act**

**PUBLIC 552  
EMERGENCY**

Sponsor(s)  
SHERMAN  
CLUKEY

Committee Report  
OTP

Amendments Adopted

LD 2072 proposed to amend the definition of "municipality" in the Maine Municipal Bond Bank Act to include any corporation owned entirely by any city, town, special district, county, plantation or municipal village corporation within the State and providing water, sewer or electric service or performing other essential governmental functions.

### *Enacted law summary*

Public Law 2005, chapter 552 amends the definition of "municipality" in the Maine Municipal Bond Bank Act to include any corporation owned entirely by any city, town, special district, county, plantation or municipal village corporation within the State and providing water, sewer or electric service or performing other essential governmental functions.

Public Law 2005, chapter 552 was enacted as an emergency measure effective April 6, 2006.

**LD 2082**

**Resolve, Directing the Secretary of State To Establish a Task Force To Develop a Plan for the Maine State Cultural Building in Augusta**

**RESOLVE 168  
EMERGENCY**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted  
H-886 BARSTOW

LD 2082 proposed to direct the Secretary of State to establish a task force to examine the long-term needs of the Maine State Cultural Building, including the possibility of constructing a new building. The task force would consider the issues of space limitations, mechanical problems, energy inefficiencies and physical deterioration. It would also seek to develop initiatives that use federal financing opportunities and take advantage of cooperation with the University of Maine System. The task force would report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 15, 2007.

**House Amendment "A" (H-886)** proposed to add a representative from the Capitol Planning Commission to the task force and require the report of the task force to be also submitted to the commission. The amendment proposed to require that recommendations of the task force be consistent with the Capitol Planning Commission master plan and rules.

### *Enacted law summary*

Resolve 2005, chapter 168 directs the Secretary of State to establish a task force to look at the long-term needs of the Maine State Cultural Building, including the possibility of constructing a new building. The task force shall consider the issues of space limitations, mechanical problems, energy inefficiencies and physical deterioration. It shall also seek to develop initiatives that use federal financing opportunities and take advantage of cooperation

## *Joint Standing Committee on State and Local Government*

with the University of Maine System. The task force shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters and the Capitol Planning Commission by January 15, 2007.

Resolve 2005, chapter 168 was enacted as an emergency measure effective April 6, 2006.

<b>LD 2102</b>	<b>An Act To Change the Date for Agency Submission of Provisionally Adopted Major Substantive Rules</b>	<b>PUBLIC 586</b>
----------------	---	-------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 2102 proposed to change the date for agency submission of provisionally adopted major substantive rules from 45 days prior to statutory adjournment to the close of business on the 2nd Friday in January of the year in which the rules are to be considered by the Legislature.

### *Enacted law summary*

Public Law 2005, chapter 586 changes the date for agency submission of provisionally adopted major substantive rules from 45 days prior to statutory adjournment to the close of business on the 2nd Friday in January of the year in which the rules are to be considered by the Legislature.

<b>LD 2115</b>	<b>An Act To Amend the Boundaries between the City of Saco and The Town of Old Orchard Beach</b>	<b>P &amp; S 68 EMERGENCY</b>
----------------	--	-----------------------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS		S-703 ROTUNDO

LD 2115 proposed to amend the boundaries between the City of Saco and the Town of Old Orchard Beach.

**Senate Amendment "A" (S-703)** proposed to add a mandate preamble.

### *Enacted law summary*

Private and Special Law 2005, chapter 68 amends the boundaries between the City of Saco and the Town of Old Orchard Beach.

Private and Special Law 2005, chapter 68 was enacted as an emergency measure effective June 1, 2006.